

IN THE CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

**FILED**

FEB 28 2014

CLERK OF CIRCUIT COURT #11  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

ROBERT KEITH MELLENTHIN,

Plaintiff,

vs.

FIRST STUDENT; MIKE HALBE;  
CURTIS TUCKER; AND CARTEZ  
PARKS.

Defendants.

No.

14L 333

COMPLAINT

COUNT I – IDHR

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as “Mellenthin”), by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count I of his Complaint against Defendant, First Student, states:

1. Mellenthin was an employee of defendant, First Student, beginning in May 2007.
2. At all relevant times during his employment, Mellenthin was qualified for his position and was able to perform essential functions of his job.
3. At all relevant times during his employment, Mellenthin was performing his job according to his employer’s legitimate expectations.
4. Mellenthin is a male and his sexual orientation is homosexual.
5. Mellenthin was subjected to a hostile work environment and was subjected to discrimination and harassment while working for First Student because of his sexual orientation.
6. Mellenthin was subjected to a hostile work environment and was subjected to discrimination and harassment while working for First Student because of his sex (male).

7. Mellenthin reported the hostile work environment, discrimination and harassment due to his sexual orientation and/or sex (male) to his supervisors and managers at First Student.

8. First Student knew or reasonably should have known about the hostile work environment, discrimination and harassment that Mellenthin expressed while working for First Student.

9. First Student failed to take actions to stop and prevent the hostile work environment, harassment and discrimination and allowed it to continue.

10. First Student retaliated against Mellenthin through adverse employment actions.

11. Mellenthin filed a Charge of Discrimination, Harassment, Hostile Work Environment and Retaliation with the EEOC and the Illinois Department of Human Rights. A copy of the Charge is attached and incorporated as Exhibit A.

12. Mellenthin received a Notice of Right-to-Sue from the EEOC and the Illinois Department of Human Rights. A copy of the Notice is attached and incorporated herein as Exhibit B.

13. Mellenthin filed this action within ninety (90) days of the receipt of the Notice of Right to Sue letter. See Exhibit B.

14. First Students' discrimination, harassment, hostile work environment and retaliation against Mellenthin violated the Illinois Human Rights Act, 735 ILCS 5/2-101, *et. seq.*

15. As a result of the discrimination, harassment, hostile work environment and retaliation during his employment at First Student, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

16. As a result of the discrimination, harassment, hostile work environment and retaliation during his employment at First Student, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

17. As a result of the discrimination, harassment, hostile work environment, and retaliation during his employment at First Student, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.

18. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by First Student.

19. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by First Student.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, First Student, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

**COUNT II – IDHR**

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as “Mellenthin”) by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count II of his Complaint against First Student, states:

1.-11. For paragraphs one (1) through eleven (11) of Count II, Plaintiff incorporates and re-alleges paragraphs one (1) through eleven (11) of Count I as though fully alleged herein.

)

12. After Mellenthin filed his charge of discrimination with the EEOC and the Illinois Department of Human Rights, First Student retaliated against Mellenthin by writing him up for disciplinary actions, which were false and untrue. These write-ups were adverse employment actions.

13. The discrimination, harassment and hostile work environment because of Mellenthin's sexual orientation continued.

14. The discrimination, harassment and hostile work environment because of Mellenthin's sex (male) continued.

15. Mellenthin was constructively discharged in retaliation for filing a charge with the Illinois Department of Human Rights and EEOC.

16. Mellenthin filed another Charge of Discrimination with the EEOC and the Illinois Department of Human rights. A copy of the Charge is attached and incorporated as Exhibit C.

17. Mellenthin received a Notice of Right-to-Sue from the EEOC and Illinois Department of Human Rights. A copy of the Notice is attached and incorporated herein as Exhibit D.

18. Mellenthin filed this action within ninety (90) days of the receipt of the Notice of Right to Sue letter. See Exhibit D.

19. First Students' discrimination, harassment, hostile work environment and retaliation against Mellenthin violated the Illinois Human Rights Act, 735 ILCS 5/2-101, *et. seq.*

20. As a result of the continued harassment, discrimination, hostile work environment and retaliation by First Student, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

21. As a result of the discrimination, continued harassment, discrimination, hostile work environment and retaliation by First Student, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

22. As a result of the discrimination, continued harassment, discrimination, hostile work environment and retaliation by First Student, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.

23. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by First Student.

24. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by First Student.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, First Student, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

**COUNT III – CIVIL RIGHTS ACT**

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as "Mellenthin"), by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count III of his Complaint against Defendant, First Student, states:

1-13. For paragraphs one (1) through thirteen (13) of Count III, Plaintiff incorporates and re-alleges paragraphs one (1) through thirteen (13) of Count I as though fully alleged herein.

14. First Students' discrimination, harassment, hostile work environment and retaliation against Mellenthin violated Title VII of the Civil Rights Act, 42 U.S.C. Sec. 2000, *et. seq.*

15. As a result of the discrimination, harassment, hostile work environment and retaliation during his employment at First Student, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

16. As a result of the discrimination, harassment, hostile work environment and retaliation during his employment at First Student, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

17. As a result of the discrimination, harassment and hostile work environment during his employment at First Student, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.

18. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by First Student.

19. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by First Student.

20. In addition, First Student through its managers, had knowledge that it may have been acting in violation of law and/or First Student approved or ratified the acts of discrimination and thus, First Student knew or showed reckless disregard on whether its conduct was prohibited by federal law and Mellenthin is entitled to punitive damages.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, First Student, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

**COUNT IV – CIVIL RIGHTS ACT**

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as “Mellenthin”) by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count IV of his Complaint against First Student, states:

1-18. For paragraphs one (1) through eighteen (18) of Count IV, Plaintiff incorporates and re-alleges paragraphs one (1) through eighteen (18) of Count II as though fully alleged herein.

19. First Students’ discrimination, harassment, hostile work environment and retaliation against Mellenthin violated Title VII of the Civil Rights Act, 42 U.S.C. Sec. 2000, *et. seq.*

20. As a result of the continued harassment, discrimination, hostile work environment and retaliation by First Student, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

21. As a result of the continued harassment, discrimination, hostile work environment and retaliation by First Student, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

22. As a result of the continued harassment, discrimination, hostile work environment and retaliation by First Student, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.



23. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by First Student.

24. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by First Student.

25. In addition, First Student, through its managers, had knowledge that it may have been acting in violation of law and/or First Student approved or ratified the acts of discrimination and thus, First Student knew or showed reckless disregard on whether its conduct was prohibited by law and Mellenthin is entitled to punitive damages.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, First Student, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

**COUNT V – IDHR – MIKE HALBE**

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as “Mellenthin”) by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count V of his Complaint against Mike Halbe, (hereafter referred to as “Halbe) states:

1-10. For Paragraphs one (1) through ten (10) of Count V, Plaintiff incorporates and re-alleges paragraphs one (1) through ten (10) of Count I as though fully alleged herein.

11. Halbe was an employee and a supervisor for First Student.

12. Halbe participated in the discrimination, harassment, hostile work environment and retaliation of Mellenthin.

13. Mellenthin filed a Charge of Discrimination, Harassment, Hostile Work Environment and Retaliation with the Illinois Department of Human Rights against Halbe. A copy of the Charge is attached and incorporated as Exhibit E.

14. Mellenthin received a Notice of Closure letter from the Illinois Department of Human Rights.

15. Mellenthin filed this action within ninety (90) days of the receipt of the Notice of Closure.

16. Halbe's discrimination and harassment of Mellenthin and creation of a hostile work environment while Mellenthin worked for First Student, and retaliating against Mellenthin, violated the Illinois Human Rights Act, 735 ILCS 5/2-101, *et. seq.*

17. As a result of the discrimination, harassment, hostile work environment and retaliation during his employment at First Student by Halbe, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

18. As a result of the discrimination, harassment, hostile work environment and retaliation during his employment at First Student by Halbe, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

19. As a result of the discrimination, harassment and hostile work environment during his employment at First Student by Halbe, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.

20. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by Halbe.

21. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by Halbe.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, Mike Halbe, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

**COUNT VI – IDHR – CARTEZ PARKS**

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as “Mellenthin”) by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count VI of his Complaint against Cartez Parks (hereafter referred to as “Parks”), states:

1-10. For Paragraphs one (1) through ten (10) of Count VI, Plaintiff incorporates and re-alleges paragraphs one (1) through ten (10) of Count I as though fully alleged herein.

11. Parks was an employee for First Student.

12. Parks participated in the discrimination, harassment, and hostile work environment of Mellenthin.

13. Mellenthin filed a Charge of Discrimination, Harassment, and Hostile Work Environment with the Illinois Department of Human Rights against Parks. A copy of the Charge is attached and incorporated as Exhibit F.

14. Mellenthin received a Notice of Closure letter from the Illinois Department of Human Rights.

15. Mellenthin filed this action within ninety (90) days of the receipt of the Notice of Closure letter.

16. Parks' discrimination and harassment of Mellenthin and creation of a hostile work environment while Mellenthin worked for First Student, violated the Illinois Human Rights Act, 735 ILCS 5/2-101, *et. seq.*

17. As a result of the discrimination, harassment, and hostile work environment during his employment at First Student by Parks, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

18. As a result of the discrimination, harassment, and hostile work environment during his employment at First Student by Parks, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

19. As a result of the discrimination, harassment and hostile work environment during his employment at First Student by Parks, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.

20. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by Parks.

21. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by Parks.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, Cartez Parks, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

**COUNT VII – IDHR – CURTIS TUCKER**

NOW COMES Plaintiff, Robert Mellenthin (hereafter referred to as “Mellenthin”) by and through his undersigned attorneys, Michael J. Brunton and Brunton Law Offices, P.C., and for Count VII of his Complaint against Curtis Tucker (hereafter referred to as “Tucker”), states:

1-10. For Paragraphs one (1) through ten (10) of Count VII, Plaintiff incorporates and re-alleges paragraphs one (1) through ten (10) of Count I as though fully alleged herein.

11. Tucker was an employee for First Student.

12. Tucker participated in the discrimination, harassment, and hostile work environment of Mellenthin.

13. Mellenthin filed a Charge of Discrimination, Harassment, and Hostile Work Environment with the Illinois Department of Human Rights against Tucker. A copy of the Charge is attached and incorporated as Exhibit G.

14. Mellenthin received a Notice of Closure from the Illinois Department of Human Rights.

15. Mellenthin filed this action within ninety (90) days of the receipt of the Notice of Closure letter.

16. Tucker’s discrimination and harassment of Mellenthin and creation of a hostile work environment while Mellenthin worked for First Student, violated the Illinois Human Rights Act, 735 ILCS 5/2-101, *et. seq.*

17. As a result of the discrimination, harassment, and hostile work environment during his employment at First Student by Tucker, Mellenthin suffered and in the future will continue to suffer emotional distress, mental anguish, pain and suffering, inconvenience, loss of enjoyment of life, and other pecuniary and non-pecuniary losses.

18. As a result of the discrimination, harassment, and hostile work environment during his employment at First Student by Tucker, Mellenthin was caused to lose wages and fringe benefits and he is entitled to recover for this loss.

19. As a result of the discrimination, harassment and hostile work environment during his employment at First Student by Tucker, Mellenthin will lose future earnings and future fringe benefits and he is entitled to recover for this loss.

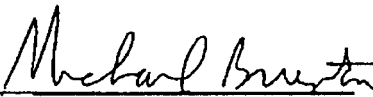
20. In addition, Mellenthin is entitled to reasonable attorney fees and all other affirmative relief as this court deems appropriate, including enjoying any unlawful discrimination in the future by Tucker.

21. In addition, Mellenthin is further entitled to pre-judgment interest to compensate him for the loss of wages during the period preceding any final judgment. Mellenthin is further entitled to post-judgment interest from the date of judgment to the date that any judgment is paid by Tucker.

WHEREFORE, Plaintiff, Robert Mellenthin, requests that judgment be entered in his favor and against defendant, Curtis Tucker, in an amount in excess of \$50,000 and award costs of suit.

**Plaintiff Demands Trial by Jury**

BRUNTON LAW OFFICES, P.C.

By: 

Michael J. Brunton, #6206663  
819 Vandalia (HWY 159)  
Collinsville, IL 62234  
(618) 343-0750/ (618) 343-0227 Fax  
Attorney for Plaintiff

IN THE CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

**FILED**

FEB 28 2014

CLERK OF CIRCUIT COURT #11  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

ROBERT KEITH MELLENTIN,

Plaintiff,

vs.

No.

FIRST STUDENT; MIKE HALBE;  
CURTIS TUCKER; AND CARTEZ  
PARKS.


Defendants.

14 L 333

**AFFIDAVIT PURSUANT TO ILLINOIS SUPREME COURT RULE 222**

Michael J. Brunton, after being duly sworn upon his oath, and under penalties of perjury, states, pursuant to Illinois Supreme Court Rule 222, that the total of money damages sought in the Complaint, filed by plaintiff in the above-captioned case, does exceed \$50,000.00.

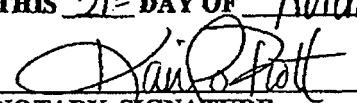
BRUNTON LAW OFFICES, P.C.



MICHAEL J. BRUNTON, #06206663  
MARY M. STEWART, #6200773  
819 Vandalia (HWY 159)  
Collinsville, IL 62234  
(618) 343-0750  
(618) 344-1253 Fax  
Attorney for Plaintiff

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public

<b>CHARGE OF DISCRIMINATION</b>		AGENCY <input checked="" type="checkbox"/> IDHR <input type="checkbox"/> EEOC	CHARGE NUMBER <div style="font-size: 2em; font-weight: bold; transform: rotate(-15deg); position: absolute; right: -50px; top: -50px;">FILED</div> <div style="text-align: right; margin-top: 10px;">FEB 28 2014</div>
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form. <div style="text-align: center; margin-top: 10px;">#</div>			
<b>Illinois Department of Human Rights and EEOC</b>			
NAME OF COMPLAINANT (Indicate Mr., Ms., Mrs.) MR. ROBERT KEITH MELLENTHIN		TELEPHONE NUMBER (include area code) (618) 855-4234	
STREET ADDRESS 5100 KAY DRIVE, LOT 15 EDWARDSVILLE, ILLINOIS 62025		DATE OF BIRTH 10 / 21 / 1967 M D YEAR	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)			
NAME OF RESPONDENT FIRST STUDENT		NUMBER OF EMPLOYEES, MEMBERS 15+ TELEPHONE (include area code) (618) 346-8605	
STREET ADDRESS 202 LEBANON ROAD COLLINSVILLE, ILLINOIS 62234		COUNTY MADISON	
CAUSE OF DISCRIMINATION BASED ON: SEX, SEXUAL HARASSMENT, SEXUAL ORIENTATION, AND RETALIATION		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)  <input checked="" type="checkbox"/> CONTINUING ACTION	
<b><u>SEE ATTACHED</u></b>			
THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:			
I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		SUBSCRIBED AND SWORN TO BEFORE ME THIS <u>21st</u> DAY OF <u>November</u> , 2012.   NOTARY SIGNATURE	
OFFICIAL SEAL KARI JO PROTT NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES: 11/23/14  NOTARY STAMP		X <u>Robert Keith Melleson</u> 11/21/12 SIGNATURE OF COMPLAINANT DATE  I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief	



STATE OF ILLINOIS  
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
100 W. RANDOLPH ST., SUITE 10-100  
CHICAGO, ILLINOIS 60601  
(312) 814-6200  
(217) 785-5125 TTY

SPRINGFIELD OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
222 S. COLLEGE, ROOM 101  
SPRINGFIELD, ILLINOIS 62704  
(217) 785-5100  
(217) 785-5125 TTY

CHARGE NO: \_\_\_\_\_  
CHARGE OF DISCRIMINATION

COMPLAINANT

Name: Robert Keith Mellenthin  
Address: 5100 Kay Drive, Lot 15  
City, State, ZIP: Edwardsville, IL 62025  
Telephone Number: (618) 855-4234

I believe that I have been personally aggrieved by a civil rights violation committed on  
(date/s of harm: October 15, 2009, Present ), by:

RESPONDENT

Name: First Student  
Address: 202 Lebanon Road  
County: Madison  
City, State, ZIP: Collinsville, IL 62234  
Telephone Number: (618) 346-8605

The particulars of the alleged civil rights violation are as follows:

SEE ATTACHED

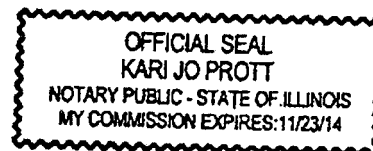
I, Robert Keith Mellenthin, on oath or affirmation state that I am the Complainant herein,  
that I have read the foregoing charge and know the contents thereof, and that the same is true  
and correct to the best of my knowledge.

Robert Keith Mellenthin 11.21.12  
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 21<sup>st</sup> day  
of November, 2012.

Kari Jo Prott  
Notary Public Signature



Notary Stamp

I. A. ISSUE/BASIS

Harassment based on my sexual orientation (homosexuality)  
October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to harassment by co-workers at First Student. The harassment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the harassment offensive and I asked the co-workers of First Student to stop.
5. I reported the harassment to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

II. A. ISSUE/BASIS

Discrimination based on my sexual orientation (homosexuality)  
October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to discrimination by co-workers at First Student. The discrimination consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.

4. I found the discrimination offensive and I asked the co-workers of First Student to stop.
5. I reported the discrimination to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

III. A. ISSUE/BASIS

Hostile Work Environment based on my sexual orientation  
(homosexuality) October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to a hostile work environment by co-workers at First Student. The hostile work environment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the hostile work environment offensive and I asked the co-workers at First Student to stop.
5. I reported the hostile work environment to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

IV. A. ISSUE/BASIS

Adverse Employment Actions in Retaliation for filing internal complaints of harassment/discrimination/hostile work environment with First Student October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 15, 2009 to the present, I reported harassment/discrimination/hostile work environment by my co-workers to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
4. I found the harassment/discrimination/hostile work environment offensive and I asked the co-workers at First Student to stop.
5. I found the harassment/discrimination/hostile work environment offensive and I asked my direct supervisors at First Student to address the offensive conduct and protect me.
6. On November 12, 2012, I received correspondence from First Student reprimanding me for my behavior and conduct. The correspondence further stated that disciplinary action would be taken up to and including termination of my employment if did not immediately improve or to an acceptable level and remain at that level. This was in retaliation for reporting the harassment, discrimination, and hostile work environment.
7. I was subjected to other adverse employment actions in retaliation for reporting the harassment, discrimination, and hostile work environment.

EEOC Form 161-B (11/09)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Robert K. Mellenthin  
5100 Kay Dr Lot #15  
Edwardsville, IL 62025

From: St. Louis District Office  
Robert A. Young Bldg  
1222 Spruce St, Rm 8.100  
Saint Louis, MO 63103

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

21B-2013-00541

Joseph J. Wilson,  
Investigator

(314) 539-7816

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☒

More than 180 days have passed since the filing of this charge.

☐

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

☐

The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

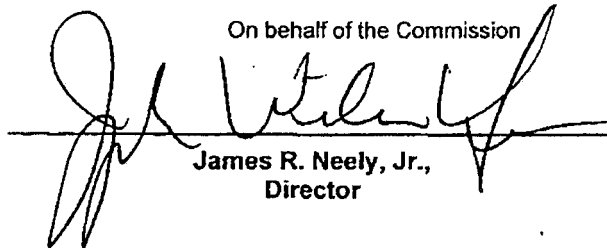
☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission



James R. Neely, Jr.,  
Director

February 4, 2014

(Date Mailed)

Enclosures(s)

cc:

Chief Executive Officer  
FIRST STUDENT  
202 Lebanon Rd  
Collinsville, IL 62234

Michael J. Brunton  
Brunton Law Offices  
819 Vandalia (Hwy 159)  
Collinsville, IL 62234



EEO-3 FORM (Rev. 11-03-INT)

Dept. of Human Rights

NOV 29 2012  
Intake Division

I. A. ISSUE/BASIS

Harassment based on my sexual orientation (homosexuality)  
October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to harassment by co-workers at First Student. The harassment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the harassment offensive and I asked the co-workers of First Student to stop.
5. I reported the harassment to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

II. A. ISSUE/BASIS

Discrimination based on my sexual orientation (homosexuality)  
October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to discrimination by co-workers at First Student. The discrimination consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.

4. I found the discrimination offensive and I asked the co-workers of First Student to stop.
5. I reported the discrimination to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

### III. A. ISSUE/BASIS

Hostile Work Environment based on my sexual orientation (homosexuality) October 15, 2009 until Present

### B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to a hostile work environment by co-workers at First Student. The hostile work environment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the hostile work environment offensive and I asked the co-workers at First Student to stop.
5. I reported the hostile work environment to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

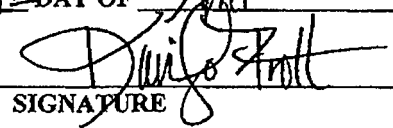


IV. A. ISSUE/BASIS

Adverse Employment Actions in Retaliation for filing internal complaints of harassment/discrimination/hostile work environment with First Student October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 15, 2009 to the present, I reported harassment/discrimination/hostile work environment by my co-workers to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
4. I found the harassment/discrimination/hostile work environment offensive and I asked the co-workers at First Student to stop.
5. I found the harassment/discrimination/hostile work environment offensive and I asked my direct supervisors at First Student to address the offensive conduct and protect me.
6. On November 12, 2012, I received correspondence from First Student reprimanding me for my behavior and conduct. The correspondence further stated that disciplinary action would be taken up to and including termination of my employment if did not immediately improve or to an acceptable level and remain at that level. This was in retaliation for reporting the harassment, discrimination, and hostile work environment.
7. I was subjected to other adverse employment actions in retaliation for reporting the harassment, discrimination, and hostile work environment.

<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.		AGENCY <input checked="" type="checkbox"/> IDHR <input type="checkbox"/> EEOC	CHARGE NUMBER  
# <b>Illinois Department of Human Rights and EEOC</b>			
NAME OF COMPLAINANT (indicate Mr. Ms. Mrs.) MR. ROBERT KEITH MELLENTHIN		TELEPHONE NUMBER (include area code) (618) 307-5201	
STREET ADDRESS 5100 KAY DRIVE, LOT 15		CITY, STATE AND ZIP CODE EDWARDSVILLE, ILLINOIS 62025	DATE OF BIRTH 10 / 21 / 1967 M D YEAR
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)			
NAME OF RESPONDENT FIRST STUDENT		NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE (include area code) (618) 346-8605
STREET ADDRESS 1202 LEBANON ROAD		CITY, STATE AND ZIP CODE COLLINSVILLE, ILLINOIS 62234	COUNTY MADISON
CAUSE OF DISCRIMINATION BASED ON: SEX, SEXUAL HARASSMENT, SEXUAL ORIENTATION, RETALIATION, AND CONSTRUCTIVE DISCHARGE		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL) <input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:  <div style="text-align: center; padding: 20px;"> <b><u>SEE ATTACHED</u></b> </div>			
Page 1 of			
I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		SUBSCRIBED AND SWORN TO BEFORE ME THIS <u>19th</u> DAY OF <u>April</u> , 2013.  NOTARY SIGNATURE	
<div style="border: 1px solid black; padding: 5px; text-align: center;">           OFFICIAL SEAL            KARI JO PROTT            NOTARY PUBLIC - STATE OF ILLINOIS            MY COMMISSION EXPIRES: 11/23/14         </div> NOTARY STAMP		X <u>PK Mellesenthin</u> <u>4-19-13</u> SIGNATURE OF COMPLAINANT DATE I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief	



STATE OF ILLINOIS  
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
100 W. RANDOLPH ST., SUITE 10-100  
CHICAGO, ILLINOIS 60601  
(312) 814-6200  
(217) 785-5125 TTY

SPRINGFIELD OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
222 S. COLLEGE, ROOM 101  
SPRINGFIELD, ILLINOIS 62704  
(217) 785-5100  
(217) 785-5125 TTY

CHARGE NO: \_\_\_\_\_  
CHARGE OF DISCRIMINATION

COMPLAINANT

Name: Robert Keith Mellenthin  
Address: 5100 Kay Drive, Lot 15  
City, State, ZIP: Edwardsville, IL 62025  
Telephone Number: (618) 307-5201

I believe that I have been personally aggrieved by a civil rights violation committed on  
(date/s of harm: \_\_\_\_\_), by:

RESPONDENT

Name: First Student  
Address: 1202 Lebanon Road  
County: Madison  
City, State, ZIP: Collinsville, IL 62234  
Telephone Number: (618) 346-8605

The particulars of the alleged civil rights violation are as follows:

SEE ATTACHED

I, Robert Keith Mellenthin, on oath or affirmation state that I am the Complainant herein,  
that I have read the foregoing charge and know the contents thereof, and that the same is true  
and correct to the best of my knowledge.

RK Mellenthin 4-19-13  
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 19<sup>th</sup> day  
of April, 2013.

[Signature]  
Notary Public Signature



Notary Stamp

I. A. ISSUE/BASIS

Constructive discharge in Retaliation for filing internal complaints of harassment/discrimination/hostile work environment with First Student and for filing charges with the IDHR and EEOC

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 15, 2009 and up to my termination, I reported harassment/discrimination/hostile work environment by my co-workers to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
4. I found the harassment/discrimination/hostile work environment offensive and I asked the co-workers at First Student to stop.
5. I found the harassment/discrimination/hostile work environment offensive and I asked my direct supervisors at First Student to address the offensive conduct and protect me.
6. After filing my claims with my supervisors and with the IDHR and EEOC, I was retaliated against and was subjected to adverse employment actions, including, but not limited to, disciplinary actions and suspension.
7. On February 14, 2013, I was constructively discharged from First Student. This was in retaliation for reporting the harassment, discrimination, and hostile work environment.
8. I was subjected to constructive discharge actions in retaliation for reporting the harassment, discrimination, and hostile work environment.

EEOC Form 161-B (11/09)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Robert K. Mellenthin  
5100 Kay Dr Lot #15  
Edwardsville, IL 62025

From: St. Louis District Office  
Robert A. Young Bldg  
1222 Spruce St, Rm 8.100  
Saint Louis, MO 63103

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

21B-2013-02118

Joseph J. Wilson,  
Investigator

(314) 539-7816

(See also the additional information enclosed with this form.)

## NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☒

More than 180 days have passed since the filing of this charge.

☐

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

☐

The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

James R. Neely, Jr.,  
Director

February 4, 2014

(Date Mailed)

Enclosures(s)

cc:

Chief Executive Officer  
FIRST STUDENT  
202 Lebanon Rd  
Collinsville, IL 62234

Michael J. Brunton  
Brunton Law Offices  
819 Vandalia (Hwy 159)  
Collinsville, IL 62234



217 785 5106

IL DEPT. OF HUMAN RIGHTS  
04/13/2013 12:21

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IL DEPT. OF HUMAN RIGHTS

BRUNTON LAW

57:47 p.m. 01-16-2014

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PAGE 03/05

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.		<input checked="" type="checkbox"/> IDHR <input type="checkbox"/> EEOC	2013 SF3688 218-2013-02118
Illinois Department of Human Rights and EEOC			
NAME OF COMPLAINANT (Indicate Mr. Ms. Mrs.) MR. ROBERT KEITH MELLENTHEIN		TELEPHONE NUMBER (include area code) (618) 307-5201	
STREET ADDRESS 5100 KAY DRIVE, LOT 15		CITY, STATE AND ZIP CODE EDWARDSVILLE, ILLINOIS 62025	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)		DATE OF BIRTH 10 / 21 / 1967 M D YEAR	
NAME OF RESPONDENT FIRST STUDENT		NUMBER OF EMPLOYEES, MEMBERS 15+	TELEPHONE (include area code) (618) 346-8605
STREET ADDRESS 1202 LEBANON ROAD		CITY, STATE AND ZIP CODE COLLINSVILLE, ILLINOIS 62234	
CAUSE OF DISCRIMINATION BASED ON: SEX, SEXUAL HARASSMENT, SEXUAL ORIENTATION, RETALIATION, AND CONSTRUCTIVE DISCHARGE		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)	
THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:		<input checked="" type="checkbox"/> CONTINUING ACTION	
SEE ATTACHED			
Page 1 of		SUBSCRIBED AND SWORN TO BEFORE ME	
I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		THIS 19th DAY OF April, 2013	
		NOTARY SIGNATURE	
OFFICIAL SEAL KARI JO PROTT NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES 11/23/14		X. R. K. Mellethein SIGNATURE OF COMPLAINANT	
NOTARY STAMP		4-19-13 DATE	
I declare under penalty that the foregoing is true and correct. I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.			

EEO-5 FORM (Rev. 11/03-INT)

217 785 5106

IL DEPT OF HUMAN RIGH

IL DEPT. OF HUMAN RIGHTS

8:07 p.m.

01-16-2014

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84/19/2013 12:27

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BRUNTON LAW

PAGE 84/85

STATE OF ILLINOIS  
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE

DEPARTMENT OF HUMAN RIGHTS  
100 W. RANDOLPH ST., SUITE 10-100  
CHICAGO, ILLINOIS 60601  
(312) 814-6200  
(217) 785-5125 TTY

SPRINGFIELD OFFICE

DEPARTMENT OF HUMAN RIGHTS  
222 S. COLLEGE, ROOM 101  
SPRINGFIELD, ILLINOIS 62704  
(217) 785-5100  
(217) 785-5125 TTY

CHARGE NO: \_\_\_\_\_

CHARGE OF DISCRIMINATIONCOMPLAINANT

Name: Robert Keith Mellenthin  
Address: 5100 Kay Drive, Lot 15  
City, State, ZIP: Edwardsville, IL 62025  
Telephone Number: (618) 307-5201

I believe that I have been personally aggrieved by a civil rights violation committed on  
(date/s of harm: \_\_\_\_\_), by:

RESPONDENT

Name: First Student  
Address: 1202 Lebanon Road  
County: Madison  
City, State, ZIP: Collinsville, IL 62234  
Telephone Number: (618) 346-8605

The particulars of the alleged civil rights violation are as follows:

SEE ATTACHED

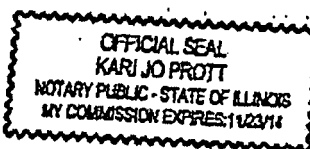
I, Robert Keith Mellenthin, on oath or affirmation state that I am the Complainant herein,  
that I have read the foregoing charge and know the contents thereof, and that the same is true  
and correct to the best of my knowledge.

Robert Keith Mellenthin 4-19-13  
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 19<sup>th</sup> day  
of April, 2013.

[Signature]  
Notary Public Signature



Notary Stamp

04/19/2013 12:27

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3430

IL DEPT OF HUMAN RIGH

IL DEPT. OF HUMAN RIGHTS

BRUNTONLAW

58:20 p.m.

01-16-2014

5/5

PAGE 05/05

I A. ISSUE/BASIS

Constructive discharge in Retaliation for filing internal complaints of harassment/discrimination/hostile work environment with First Student and for filing charges with the IDHR and EEOC

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 15, 2009 and up to my termination, I reported harassment/discrimination/hostile work environment by my co-workers to my direct supervisors at First Student, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by co-workers concerning my sexual orientation.
4. I found the harassment/discrimination/hostile work environment offensive and I asked the co-workers at First Student to stop.
5. I found the harassment/discrimination/hostile work environment offensive and I asked my direct supervisors at First Student to address the offensive conduct and protect me.
6. After filing my claims with my supervisors and with the IDHR and EEOC, I was retaliated against and was subjected to adverse employment actions, including, but not limited to, disciplinary actions and suspension.
7. On February 14, 2013, I was constructively discharged from First Student. This was in retaliation for reporting the harassment, discrimination, and hostile work environment.
8. I was subjected to constructive discharge actions in retaliation for reporting the harassment, discrimination, and hostile work environment.



NAME OF COMPLAINANT (Indicate Mr., Ms., Mrs.) MR. ROBERT KEITH MELLENTHIN	TELEPHONE NUMBER (include area code) (618) 855-4234
--	--

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)

<b>STREET ADDRESS</b>	<b>CITY, STATE AND ZIP CODE</b>	<b>COUNTY</b>
202 LEBANON ROAD	COLLINSVILLE, ILLINOIS 62234	MADISON

## CONTINUING ACTION

PLAINTIFF'S  
EXHIBIT  
E

STATE OF ILLINOIS  
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

**CHICAGO OFFICE**  
DEPARTMENT OF HUMAN RIGHTS  
100 W. RANDOLPH ST., SUITE 10-100  
CHICAGO, ILLINOIS 60601  
(312) 814-6200  
(217) 785-5125 TTY

**SPRINGFIELD OFFICE**  
DEPARTMENT OF HUMAN RIGHTS  
222 S. COLLEGE, ROOM 101  
SPRINGFIELD, ILLINOIS 62704  
(217) 785-5100  
(217) 785-5125 TTY

CHARGE NO: \_\_\_\_\_  
**CHARGE OF DISCRIMINATION**

**COMPLAINANT**

Name: Robert Keith Mellenthin  
Address: 5100 Kay Drive, Lot 15  
City, State, ZIP: Edwardsville, IL 62025  
Telephone Number: (618) 855-4234

I believe that I have been personally aggrieved by a civil rights violation committed on  
(date/s of harm: January 13, 2011 until Present ), by:

**RESPONDENT**

Name: Mr. Mike Halbe, c/o First Student  
Address: 202 Lebanon Road  
County: Madison  
City, State, ZIP: Collinsville, IL 62234  
Telephone Number: (618) 346-8605

The particulars of the alleged civil rights violation are as follows:

**SEE ATTACHED**

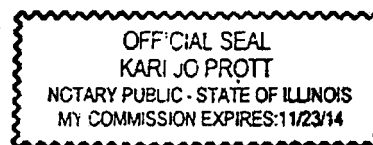
I, Robert Keith Mellenthin, on oath or affirmation state that I am the Complainant herein,  
that I have read the foregoing charge and know the contents thereof, and that the same is true  
and correct to the best of my knowledge.

Robert Keith Mellenthin 11/12  
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 21<sup>st</sup> day  
of November, 2012.

[Signature]  
Notary Public Signature



Notary Stamp

I. A. ISSUE/BASIS

Harassment based on my sexual orientation (homosexuality)  
January 13, 2011 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From January 2011 until the Present, I was subjected to harassment by Mike Halbe, a Co-Worker. The harassment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the harassment offensive and I asked Mike Halbe to stop.
5. I reported the harassment to my direct supervisors, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by Mike Halbe concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

II. A. ISSUE/BASIS

Discrimination based on my sexual orientation (homosexuality)  
January 13, 2011 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From January 2011 until the Present, I was subjected to discrimination by Mike Halbe, a Co-Worker. The discrimination consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.

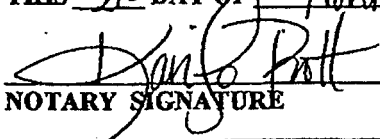
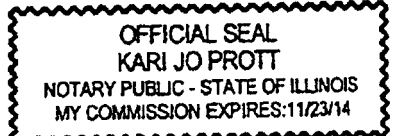

4. I found the discrimination offensive and I asked Mike Halbe to stop.
5. I reported the discrimination to my direct supervisors, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by Mike Halbe concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

III. A. ISSUE/BASIS

Hostile Work Environment based on my sexual orientation  
(homosexuality) January 13, 2011 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From January 2011 until the Present, I was subjected to a hostile work environment by Mike Halbe, a Co-Worker. The hostile work environment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
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6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

<b>CHARGE OF DISCRIMINATION</b>		<b>AGENCY</b> <input checked="checked" type="checkbox"/> IDHR <input type="checkbox"/> EEOC	<b>CHARGE NUMBER</b>
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.			
<b>Illinois Department of Human Rights and EEOC</b>			
NAME OF COMPLAINANT (Indicate Mr. Ms. Mrs.) <b>MR. ROBERT KEITH MELLENTHIN</b>		TELEPHONE NUMBER (include area code) <b>(618) 855-4234</b>	
STREET ADDRESS <b>5100 KAY DRIVE, LOT 15</b>	CITY, STATE AND ZIP CODE <b>EDWARDSVILLE, ILLINOIS 62025</b>		DATE OF BIRTH <b>10 / 21 / 1967</b> M D YEAR
<b>NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)</b>			
NAME OF RESPONDENT <b>MR. CARTEZ PARKS, c/o FIRST STUDENT</b>	NUMBER OF EMPLOYEES, MEMBERS <b>15+</b>	TELEPHONE (Include area code) <b>(618) 346-8605</b>	
STREET ADDRESS <b>202 LEBANON ROAD</b>	CITY, STATE AND ZIP CODE <b>COLLINSVILLE, ILLINOIS 62234</b>		COUNTY <b>MADISON</b>
CAUSE OF DISCRIMINATION BASED ON: <b>SEX, SEXUAL HARASSMENT, AND SEXUAL ORIENTATION</b>		DATE OF DISCRIMINATION EARLIEST (ADEA/EPA) LATEST (ALL)  <input checked="checked" type="checkbox"/> CONTINUING ACTION	
<b>THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:</b>			
<b><u>SEE ATTACHED</u></b>			
Page 1 of			
I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		SUBSCRIBED AND SWORN TO BEFORE ME THIS <u>21<sup>st</sup></u> DAY OF <u>November</u> , <u>2012</u>   NOTARY SIGNATURE	
 <b>NOTARY STAMP</b>		 <b>SIGNATURE OF COMPLAINANT</b> <u>11/21/12</u> <b>DATE</b>	
I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief			



STATE OF ILLINOIS  
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
100 W. RANDOLPH ST., SUITE 10-100  
CHICAGO, ILLINOIS 60601  
(312) 814-6200  
(217) 785-5125 TTY

SPRINGFIELD OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
222 S. COLLEGE, ROOM 101  
SPRINGFIELD, ILLINOIS 62704  
(217) 785-5100  
(217) 785-5125 TTY

CHARGE NO: \_\_\_\_\_  
CHARGE OF DISCRIMINATION

COMPLAINANT

Name: Robert Keith Mellenthin  
Address: 5100 Kay Drive, Lot 15  
City, State, ZIP: Edwardsville, IL 62025  
Telephone Number: (618) 855-4234

I believe that I have been personally aggrieved by a civil rights violation committed on  
(date/s of harm: October 15, 2009 until Present ), by:

RESPONDENT

Name: Mr. Cartez Parks, c/o First Student  
Address: 202 Lebanon Road  
County: Madison  
City, State, ZIP: Collinsville, IL 62234  
Telephone Number: (618) 346-8605

The particulars of the alleged civil rights violation are as follows:

SEE ATTACHED

I, Robert Keith Mellenthin, on oath or affirmation state that I am the Complainant herein,  
that I have read the foregoing charge and know the contents thereof, and that the same is true  
and correct to the best of my knowledge.

Robert Keith Mellenthin  
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 21<sup>st</sup> day  
of November, 2012.

Kari Jo Prott  
Notary Public Signature



Notary Stamp

I. A. ISSUE/BASIS

Harassment based on my sexual orientation (homosexuality)  
October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to harassment by Cartez Parks, a Co-Worker. The harassment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the harassment offensive and I asked Cartez Parks to stop.
5. I reported the harassment to my direct supervisors, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by Cartez Parks concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

II. A. ISSUE/BASIS

Discrimination based on my sexual orientation (homosexuality)  
October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to discrimination by Cartez Parks, a Co-Worker. The discrimination consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.

4. I found the discrimination offensive and I asked Cartez Parks to stop.
5. I reported the discrimination to my direct supervisors, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by Cartez Parks concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

III. A. ISSUE/BASIS

Hostile Work Environment based on my sexual orientation  
(homosexuality) October 15, 2009 until Present

B. PRIMA FACIE ALLEGATIONS

1. I, Robert Keith Mellenthin am a male.
2. My sexual orientation is homosexual.
3. From October 2009 until the Present, I was subjected to a hostile work environment by Cartez Parks, a Co-Worker. The hostile work environment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
4. I found the hostile work environment offensive and I asked Cartez Parks to stop.
5. I reported the hostile work environment to my direct supervisors, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by Cartez Parks concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.



<b>CHARGE OF DISCRIMINATION</b>		<b>AGENCY</b>		<b>CHARGE NUMBER</b>	
This form is affected by the Privacy Act of 1974: See Privacy act statement before completing this form.		<input checked="" type="checkbox"/> IDHR			
#		<input type="checkbox"/> EEOC			
<b>Illinois Department of Human Rights and EEOC</b>					
NAME OF COMPLAINANT (Indicate Mr. Ms. Mrs.)			TELEPHONE NUMBER (include area code)		
MR. ROBERT KEITH MELLENTIN			(618) 855-4234		
STREET ADDRESS		CITY, STATE AND ZIP CODE		DATE OF BIRTH	
5100 KAY DRIVE, LOT 15		EDWARDSVILLE, ILLINOIS 62025		10 / 21 / 1967	
				M D YEAR	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (IF MORE THAN ONE LIST BELOW)					
NAME OF RESPONDENT		NUMBER OF EMPLOYEES, MEMBERS		TELEPHONE (include area code)	
MR. CURTIS TUCKER, c/o FIRST STUDENT		15+		(618) 346-8605	
STREET ADDRESS		CITY, STATE AND ZIP CODE		COUNTY	
202 LEBANON ROAD		COLLINSVILLE, ILLINOIS 62234		MADISON	
CAUSE OF DISCRIMINATION BASED ON:				DATE OF DISCRIMINATION	
SEX, SEXUAL HARASSMENT, AND SEXUAL ORIENTATION				EARLIEST (ADEA/EPA) LATEST (ALL)	
				<input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS OF THE CHARGE ARE AS FOLLOWS:					
<p><b><u>SEE ATTACHED</u></b></p>					
Page 1 of 1  I also want this charge filed with the EEOC. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.			<b>SUBSCRIBED AND SWORN TO BEFORE ME</b>  THIS <u>21<sup>st</sup></u> DAY OF <u>November</u> , <u>2012</u>  <div style="text-align: center;">           NOTARY SIGNATURE       </div>		
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;">             OFFICIAL SEAL              KARI JO PROTT              NOTARY PUBLIC - STATE OF ILLINOIS              MY COMMISSION EXPIRES: 11/23/14  <b>NOTARY STAMP</b> </div>			X <u>Robert Keith Mellenthin</u> <u>11/21/12</u> SIGNATURE OF COMPLAINANT      DATE  I declare under penalty that the foregoing is true and correct I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief		

STATE OF ILLINOIS  
ILLINOIS DEPARTMENT OF HUMAN RIGHTS

CHICAGO OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
100 W. RANDOLPH ST., SUITE 10-100  
CHICAGO, ILLINOIS 60601  
(312) 814-6200  
(217) 785-5125 TTY

SPRINGFIELD OFFICE  
DEPARTMENT OF HUMAN RIGHTS  
222 S. COLLEGE, ROOM 101  
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CHARGE NO: \_\_\_\_\_  
CHARGE OF DISCRIMINATION

COMPLAINANT

Name: Robert Keith Mellenthin  
Address: 5100 Kay Drive, Lot 15  
City, State, ZIP: Edwardsville, IL 62025  
Telephone Number: (618) 855-4234

I believe that I have been personally aggrieved by a civil rights violation committed on  
(date/s of harm: August 31, 2012 until Present ), by:

RESPONDENT

Name: Mr. Curtis Tucker, c/o First Student  
Address: 202 Lebanon Road  
County: Madison  
City, State, ZIP: Collinsville, IL 62234  
Telephone Number: (618) 346-8605

The particulars of the alleged civil rights violation are as follows:

SEE ATTACHED

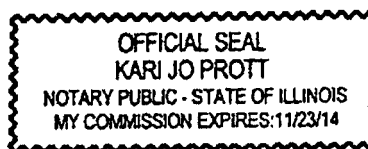
I, Robert Keith Mellenthin, on oath or affirmation state that I am the Complainant herein,  
that I have read the foregoing charge and know the contents thereof, and that the same is true  
and correct to the best of my knowledge.

Robert Keith Mellenthin 11/21/12  
Complainant's Signature and Date

Subscribed and Sworn to

Before me this 21<sup>st</sup> day  
of November, 2012.

Kari Jo Prott  
Notary Public Signature



Notary Stamp

**I. A. ISSUE/BASIS**

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August 31, 2012 until Present

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August 31, 2012 until Present

**B. PRIMA FACIE ALLEGATIONS**

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III. A. ISSUE/BASIS

Hostile Work Environment based on my sexual orientation  
(homosexuality) August 31, 2012 until Present

B. PRIMA FACIE ALLEGATIONS

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2. My sexual orientation is homosexual.
3. From August 2012 until the Present, I was subjected to a hostile work environment by Curtis Tucker, a Co-Worker. The hostile work environment consisted of offensive gestures, comments, statements, and actions concerning my sexual orientation on a daily basis, and inappropriate actions, such as posting of written comments.
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5. I reported the hostile work environment to my direct supervisors, numerous times. The supervisors witnessed numerous offensive gestures, comments, statements, and actions by Curtis Tucker concerning my sexual orientation.
6. The offensive conduct created a hostile and intimidating work environment for me and interfered with my ability to do my job.

**FILED**

FEB 28 2014

IN THE CIRCUIT COURT  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

CLERK OF CIRCUIT COURT #11  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

ROBERT KEITH MELLENTHIN,

Plaintiff,

vs.

No.

14 L 333

FIRST STUDENT; MIKE HALBE;  
CURTIS TUCKER; AND CARTEZ  
PARKS.


Defendants.

ENTRY OF APPEARANCE

Now comes Michael J. Brunton, of Brunton Law Offices, P.C., and hereby enters his appearance on behalf of Plaintiff, Robert Mellenthin for the above-captioned case.

BRUNTON LAW OFFICES, P.C.

By:



Michael J. Brunton #6206663

Mary M. Stewart #6200773

819 Vandalia (Hwy 159)

Collinsville, Illinois 62234

618-343-0750

618-343-0227 (fax)

Attorney for Plaintiff

February 28, 2014

IN THE CIRCUIT COURT  
FOR THE THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

CASE NUMBER: 2014 L 000333

ROBERT K. MELLENTHIN

Plaintiff(s)

VS.

FIRST STUDENT

Defendant(s)

**FILED**

**FEB 28 2014**

CLERK OF CIRCUIT COURT #6  
THIRD JUDICIAL CIRCUIT  
MADISON COUNTY, ILLINOIS

ASSIGNMENT ORDER

The above case is hereby assigned to the Honorable BARBARA CROWDER for setting and disposition.

Clerk to send copies of this Order to the attorneys of record and any pro se party.

DATE: February 28, 2014

s/David Hylla  
Chief Judge

## BRUNTON LAW OFFICES



Michael J. Brunton  
mbrunton@bruntonlawoffice.com

Mary M. Stewart  
mstewart@bruntonlawoffice.com

Attorneys licensed in IL and MO

819 Vandalia (Hwy 159)  
Collinsville, Illinois 62234

Phone: 618-343-0750  
Fax: 618-343-0227

www.bruntonlawoffice.com

March 25, 2014

Clerk of the Circuit Court  
Madison County Courthouse  
155 N. Main Street  
Edwardsville, IL 62025

**Re: Robert K. Mellenthin v. First Student**  
**Case No.: 14-L-333**

Dear Sir or Madam:

Enclosed please find the original Affidavit of Service for the Defendants, Mike Halbe and Curtis Tucker in the above-referenced case and copy of same. Please file the original with the Court and send our office a file-stamped copy in the self-addressed stamped envelope, we have provided.

Thank you for your assistance in this matter. If there are any questions, please feel free to give me a call.

Sincerely,



Jessica Poat  
Paralegal for Michael Brunton

/jlp

Enclosures

Filed - 03262014 Mark Von Ni da Madison Sr dLAZY

**AFFIDAVIT OF SERVICE**

14-L-333, MADISON COUNTY, IL ,



STATE: ILLINOIS      NOTARIZED COUNTY: MADISON      JOB NO: 175410  
United States of America

I, LARA FLIEGER, being duly sworn on oath, state that I affected service as follows:

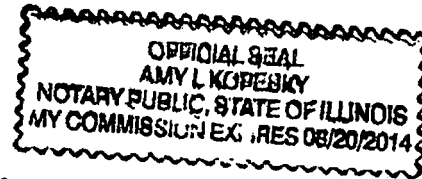
CLIENT: BRUNTON LAW OFFICES, PC  
TYPE OF DOCUMENT: SUMMONS, COMPLAINT, ENTRY OF APPEARANCE, AFFIDAVIT  
PURSUANT TO ILLINOIS SUPREME COURT RULE 222  
TYPE OF SERVICE: SUBSTITUTE SERVICE  
DATE COPIES MAILED TO DEFENDANT: 18th day of March, 2014

1.NAME OF PERSON ATTEMPTED UPON: CURTIS TUCKER  
2.DOCUMENT GIVEN TO IF DIFFERENT: THERESA MURPHY, Co Resident,  
3.DESCRPTION: Sex: Female – Skin: Caucasian – Hair: Brown – Approx. Age: 47 – Height: 5'6 – 5'8  
APX – Weight: 160–180 APX  
4.ADDRESS: 262 ELM STREET , Roxana IL 62084  
5.DATE: 03/17/2014 Time of Service: 6:42 PM  
6.COURT DATE:

CASE NUMBER : 14-L-333

CASE NAME:

ROBERT K MELLENTHIN  
VS  
CURTIS TUCKER



Signed and sworn to before me on  
this 18th day of March, 2014.

Notary Public

LARA FLIEGER  
License(s): 0129-312199

Comments: Photo enclosed. : A COPY OF THE DOCUMENTS SENT TO THE DEFENDANT VIA USPS ON 03/18/14.

Cost of Service: 50.00



KELLERMAN INVESTIGATIONS LTD  
IL. DET. LIC: 117-001201  
GLEN CARBON, IL 62034  
618-288-6662

A true copy of the original on file in my office  
Attested to this 28 day of Mar 2014  
MADEIRA  
Clerk of the Circuit Court, 13th Judicial Circuit  
Madison County, Illinois  
By   
Deputy Clerk

Filed-03262014 Mark Vonni damadison3rdLAZY



**AFFIDAVIT OF SERVICE**

14-L-333, MADISON COUNTY, IL ,



STATE: ILLINOIS

NOTARIZED COUNTY: MADISON  
United States of America

JOB NO: 175409

I, DOUGLAS GARBER, being duly sworn on oath, state that I effected service as follows:

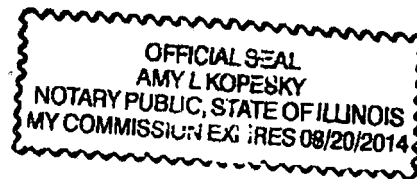
CLIENT: BRUNTON LAW OFFICES, PC  
TYPE OF DOCUMENT: SUMMONS, COMPLAINT, ENTRY OF APPEARANCE, AFFIDAVIT  
PURSUANT TO ILLINOIS SUPREME COURT RULE 222  
TYPE OF SERVICE: PERSONAL SERVICE

1. NAME OF PERSON ATTEMPTED UPON: MIKE HALBE  
2. DOCUMENT GIVEN TO IF DIFFERENT: NOT APPLICABLE, ,  
3. DESCRIPTION: Sex: Male - Skin: Caucasian - Hair: LT BRN - Approx. Age: 52 - Height: 6'0 APX  
- Weight: 200  
4. ADDRESS: 1202 LEBANON RD , Collinsville IL 62234  
5. DATE: 03/17/2014 Time of Service: 10:30 AM  
6. COURT DATE:

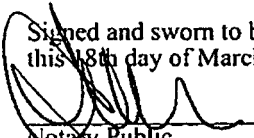
CASE NUMBER : 14-L-333

CASE NAME:

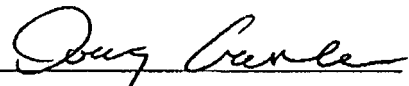
ROBERT K MELLENTIN  
VS  
MIKE HALBE



Signed and sworn to before me on  
this 18th day of March, 2014.

  
Notary Public

X

  
DOUGLAS GARBER  
License(s): 129-312334

Comments: SERVER OBTAINED A SIGNATURE



\*175489\*

Cost of Service: 50.00

KELLERMAN INVESTIGATIONS LTD  
IL. DET. LIC: 117-001201  
GLEN CARBON, IL 62034  
618-288-6662

Filed - 03262014 Mark Von Nida Madison IL